

LEGISLATIVE BILL 20

Approved by the Acting Governor January 27, 1989

Introduced by Labeledz, 5, Chairperson, Executive Board

AN ACT relating to the Commodity Code; to amend section 8-1733, Reissue Revised Statutes of Nebraska, 1943; to authorize sending a notice by certified mail to conform with Laws 1987, LB 93; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 8-1733, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

8-1733. When a person, including a nonresident of this state, engages in conduct prohibited or made actionable by the Commodity Code or any rule, regulation, or order of the director, the engaging in the conduct shall constitute sufficient contact with this state for the exercise of personal jurisdiction over such a person in any action which arises under the Commodity Code. Service may be made by leaving a copy of the process in the office of the director, but it shall not be effective unless (1) the plaintiff, who may be the director in a suit, action, or proceeding instituted by him or her, forthwith sends notice of the service and a copy of the process by registered or certified mail to the defendant or respondent at his or her last address on file with the director and (2) the plaintiff's affidavit of compliance with this section is filed in the case on or before the return day of the process, if any, or within such further time as the court allows.

Sec. 2. That original section 8-1733, Reissue Revised Statutes of Nebraska, 1943, is repealed.